IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.9246 of 2000

THURSDAY, THE TWENTY FIRST DAY OF JUNE TWO THOUSAND AND SEVEN

Between:

M/s. Anand Ispat Udyog Ltd., Survey No.85,
Thimmapur Village, Kothur Mandal,
Mahaboobnagar District, rep. by its
Managing Director Promod Kumar Agarwal.

… Petitioner

And

Transmission Corporation of A.P. Limited,
Rep. by its Managing Director, Vidyut Soudha,
Hyderabad, and others.

… Respondents

Order:

Petitioner, a re-rolling mill, has questioned the letter dated 01-05-2000, addressed to it by the third respondent, demanding an amount of Rs.2,89,298/- on account of Fuel Cost Adjustment charges for the years 1996-97 and 1997-98.

The case of the petitioner is that the adjustment has not been done properly and no opportunity and notice is also given before making the demand; hence the same is illegal and liable to be set aside.

Sri N. Subba Reddy, learned Senior Counsel appearing for the respondents submits that similar matters have been disposed of by this court permitting the petitioners therein to make a representation to the respondents for re-considering their cases.

At the stage of admission, this court by order dated 24-05-2000, in W.P.M.P.No.11845 of 2000 granted interim directions on condition of the petitioner paying 1/4th of the amount demanded as per the impugned demand.

As much as it is stated that similar matters have already been disposed of, permitting the petitioners therein to make representations, I dispose of this Writ Petition also permitting the petitioner to make a representation to the respondents within four weeks from today raising objections with regard to the demand made in the impugned letter. On such representation being made, respondents shall consider the same and pass appropriate orders as expeditiously as possible. Till such time, no further steps shall be taken and 1/4th of the amount paid by the petitioner pursuant to the interim directions of this court, shall be subject to the final orders to be passed by the respondents. It is made clear that if no representation is made within the time stipulated above, it is open for the respondents to take further steps in accordance with law. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

June 21, 2007
MRR